



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/800,000	03/06/2001	C. Robert Gasparrini	0140-4126US4	7668

7590

09/09/2003

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154

EXAMINER

YAN, REN LUO

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 09/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/800,000

Applicant(s)

GASPARRINI ET AL.

Examiner

Ren L Yan

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11-1-2002, 11-11-2002 and 6-16-2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 35-43 and 51-58 is/are pending in the application.
- 4a) Of the above claim(s) 35-43, 52-54 and 57 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 51, 55, 56 and 58 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Newly submitted claims 54 and 57 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

The elected Fig. 2 species discloses removing excess solvent outside a container 42 holding the solvent. Claims 54 and 57 are directed to the Fig. 4 species which was not elected and is not under consideration.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 54 and 57 have been withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 56 is rejected under 35 U.S.C. 102(b) as being anticipated by Gasparrini et al(5,368,157). The patent to Gasparrini et al teaches the method of presoaking cloth for cleaning a cylinder in a printing press as claimed including contact a fabric supply roll with 13 with a low volatility, compound solvent which does not evaporate readily at ambient temperature and pressure and soaking and saturating said cleaning fabric supply roll with the solvent. See column 2, lines 28-34, lines 57-63, and column 4, lines 4-10 in Gasparrini et al for details.

Art Unit: 2854

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 51, 55, 56 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki(5,509,353) in view of Gasparrini et al(5,368,157). Aoki teaches the method of presoaking a cleaning cloth to be used in a printing press cylinder cleaning system as claimed including a cleaning web supply roll 60 and a take-up roll 61, and a cleaning web 59 being fed out from the supply roll 60, soaked with a cleaning solvent as it passes through cleaning solvent reservoir 77, pressed against the printing cylinder 11 by the pressure pad 55 for cleaning the cylinder, and then taken up by the take-up roll 61. See the entire document of Aoki for example. However, Aoki does not discuss the type of cleaning solvent used in the process. Gasparrini et al. teach the conventionality of soaking a cleaning strip by immersing the cleaning strip fed out from a supply roll through a tank of low volatility, organic compound cleaning solvent which does not evaporate readily at ambient temperature in order for the cleaning strip to be saturated with the cleaning solvent or by immersing the entire cleaning strip supply roll in the cleaning solvent for soaking. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the tray container of Aoki with a low volatility organic compound cleaning solvent to presoak the cleaning cloth so as to effectively reduce the loss of cleaning solvent through evaporation and to cut cost. With respect to the newly added recitation "the contacting of the cleaning fabric supply roll with the solvent does not require the use of pumps, spray bars,

Art Unit: 2854

manifold lines and valves”, it should be pointed out that the solvent in the reservoir 77 of Aoki drips onto the cleaning web 59 via gravity through small holes in the guiding member 74 and does not rely upon any mechanical or electrical device for the solvent in the reservoir 77 to make contact with the cleaning web 59. Accordingly, it is believed this recitation is fully met by the structure of Aoki. See the paragraph bridging columns 3 and 4 in Aoki for example. With respect to claims 55 and 58, when the cleaning web 59 of Aoki is pressed against the printing cylinder 11, excess cleaning solvent is removed from the cleaning web 59 under pressure onto the printing cylinder surface. This solvent removal does occur outside a container 68 holding the solvent. See column 5, lines 31-39 in Aoki for details.

Applicant's arguments filed on 6-16-2003 have been fully considered but they are not persuasive. It is believed the forgoing rejections have adequately responded to applicant's arguments.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

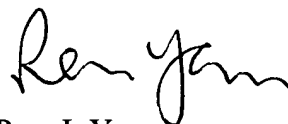
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2854

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L Yan whose telephone number is 703-308-0978. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 703-305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

A handwritten signature in black ink, appearing to read "Ren Yan", with a stylized flourish at the end.

Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
September 5, 2003